

# DUFFY LAW GROUP

---

INTELLECTUAL PROPERTY ATTORNEYS

[REDACTED]  
04/18/2013

SENT VIA U.S. MAIL

Re: LW Systems LLC v. Christopher Hubbard  
13-L-15 [REDACTED]

Dear [REDACTED]

Our firm has been retained by LW Systems to file a lawsuit against you. Your Internet Service Provider, Charter Communications, identified you as the Internet account holder who harmed our client. My client's lawsuit will allege that you violated state and federal computer misuse statutes and will seek to hold you jointly and severally liable for the amount of damage that you and your co-conspirators caused. By way of example, other computer misuse cases have resulted in judgments exceeding \$200,000. My office has filed hundreds of similar lawsuits across the nation and we are prepared to move forward against you in IL. For your background, in many cases people target our client's systems to access adult content for later distribution via BitTorrent.

LW Systems is frequently targeted by people who wish to avoid paying for access to adult content. From stealing adult movies or credit card information, to causing computers to crash, such illegal activity is extremely harmful to our client. In fact, it is this rampant theft of online content that has led many industry organizations such as the Recording Industry Association of America, the Motion Picture Association of America, and Internet Service Providers to go after those who trade in BitTorrent movies and other files.

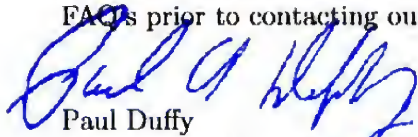
Please consider this letter to constitute formal notice that until and unless we are able to resolve our client's claim, we demand that you not delete any files from your computer or any other computers under your control or in your possession. If in the course of litigation, forensic computer evidence suggests that you deleted files, our client will amend its complaint to add a 'spoliation of evidence' claim. Be advised that if we prevail on this additional claim, the court may impose severe sanctions against you.

---

TEL 312•476•7645    FAX 312•346•8434

2 NORTH LASALLE, SUITE 1300   ♦   CHICAGO, IL 60602

Our records indicate that you are not currently represented by an attorney. If you are represented by an attorney, please forward this letter to your counsel immediately. We strongly advise you to seek the services of experienced counsel. Ignoring this problem will not make it go away. My office has obtained default judgments in excess of \$150,000 against individuals who failed to answer my client's claims. Our office regularly receives calls from defendants in your position. Please refer to the attached FAQs prior to contacting our office.



Paul Duffy  
Attorney and Counselor at Law  
Licensed in the states of Illinois, Massachusetts,  
California, and the District of Columbia

### Frequently Asked Questions:

#### **How do I make this case go away?**

As you can appreciate, our client has two options in this matter: proceed with litigation or reach a settlement. Litigation is expensive and time consuming for everyone involved. Settlement is efficient and favored by the courts. By way of example, a case such as this that proceeds to a jury verdict regularly involve over \$100,000 in legal fees and costs. A fair settlement can be reached for a fraction of that amount. However, the decision to litigate or settle is yours to make. If you wish to resolve this matter through settlement instead of litigation, here are the instructions for doing so: In exchange for a comprehensive release of all legal claims in this matter, which will enable you to avoid becoming a named Defendant in the lawsuit, our firm is authorized to accept the sum of \$2400 as full settlement for our client's claims. This offer will expire on 05/03/2013 at 4:00 p.m. CST. If you reject or do not respond to our offer, our client will be pleased to proceed forward with litigation.

You may pay the settlement amount by mailing a check or money order payable to our client, LW Systems, and mailing that payment to:

**LW Systems LLC  
2100 M St. NW Suite 170-417  
Washington DC 20037**

Be sure to reference this matter on the method of payment. Regardless of the payment method, once we have processed the settlement, we will issue a Release and confirmation that the payment has been processed.

#### **What is my legal liability?**

We are not your attorney and cannot give you legal advice. However, we can point out that in a Minnesota case, an Internet account holder named Jamie Thomas-Rasset rejected a comparable initial settlement offer. At trial, Ms. Thomas-Rasset argued that someone else used her Internet account. The jury disregarded Ms. Thomas-Rasset's defense and awarded the plaintiff \$222,000 in damages. A complete description of the case is available online at [http://en.wikipedia.org/wiki/Capitol\\_v.\\_Thomas](http://en.wikipedia.org/wiki/Capitol_v._Thomas). As with Ms. Thomas-Rasset, you have an opportunity to resolve this matter now. You will be able to put this matter behind you, avoid the distress of appearing as a defendant in a multi-year lawsuit, and the risk of a devastating jury verdict.

#### **What If I do nothing?**

You are certainly entitled to ignore our offer to resolve this matter and simply wait for us to proceed against you by naming you in a lawsuit and bringing you before a jury of your peers. Of course, if you ignore our complaint our office will seek a default judgment. The bottom line is that ignoring a legal problem will not make it go away.

**What If I do fight your client?**

Certainly, you are entitled to hire an attorney and fight the case all the way through trial. Our firm is famous for pursuing these cases and this matter will be followed closely in the national media. Indeed, several websites publish every pleading filed in every one of our clients' actions. Your name will forever be associated with the outcome of the matter, particularly if you prevail. In making this decision we again strongly encourage you to seek qualified legal assistance. Your friends, family members and blog sites are not reliable sources of legal advice.

**What am I being accused of?**

You are being accused of violating state and federal computer misuse statutes. If you use BitTorrent or visit hacked password sites, you are harming adult content businesses, including our client. Due to the sensitive nature of this issue, and our desire to avoid unnecessary embarrassment, we will be glad to provide more detailed information about this case, our client's data that was accessed, and the names of the files and / or movies stolen. You may reach our firm directly at 312-476-7645.

### **PAYMENT AUTHORIZATION**

I hereby authorize Livewire Holdings, LLC to withdraw funds from the credit card listed below.

Client #: \_\_\_\_\_

#### **PAYOR INFORMATION**

Payor's Name: \_\_\_\_\_

Billing Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Email address: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

#### **PAYMENT INFORMATION**

Payment amount: \$ \_\_\_\_\_

Name on Credit Card: \_\_\_\_\_

#### **If paying via credit or debit card:**

Card Number: \_\_\_\_\_ Exp. Date: \_\_\_\_\_

Card Type: ☐ Master Card ☐ Visa ☐ AmEx ☐ Discover

CID Number: \_\_\_\_\_ (this is the last three digits on the back of your Master Card, Visa, or Discover Card, or the four digit number in the upper right corner on the front of your AmEx)

**Fax, scan & email, or mail this authorization to:**

Livewire Holdings, LLC  
2100 M Street Northwest, Suite 170-417  
Washington, DC 20037  
Fax: 888.964.WIRE (9473)  
email: [accounting@livewireholdings.com](mailto:accounting@livewireholdings.com)

w w w . l i v e w i r e h o l d i n g s . c o m